From: E L Tonkin
To: Microsoft ATR
Date: 1/24/02 9:50am
Subject: Microsoft Settlement

To whom it may concern,

I write to air my feelings on the subject of the Microsoft Settlement. Unfortunately, I am not a US citizen and therefore it is very probable that my opinions are entirely irrelevant; however, I am an IT consultant and currently completing a University postgraduate degree in human - computer - communication. I am very aware that the actions of Microsoft are likely to determine the nature of the technology with which I work daily, due to their almost total domination of the industry. This, therefore, is a global issue, and I feel that I have a right to speak out.

I am not entirely satisfied with the settlement terms that I have so far seen. In my opinion, the most important points to keep in mind are:

1 * INDEPENDENTLY documented standards for communication protocols should be required.

2 * Documentation should not be witheld for any reason whatsoever, be it a question of security or any other subject.

3 * Proprietary extensions should stay optional. ActiveX is not indispensable - it is therefore not a 'reasonable technical requirement', as Microsoft would claim, but a 'luxury'. Adaption of common protocols is to some extent reasonable, but it should be understood - and I'm sure it is - that Microsoft seldom act with the good of the customer in mind. The same thing can be achieved with non- proprietary standards that are equally secure/whatever, if less pretty. Both methods are acceptable, but neither should reduce interoperability with the other.

ActiveX is one of Microsoft's favourite excuses. I expect the wonderfully centralised Passport to develop into another - and I expect that Microsoft will deny interoperability to, for example, free software developers on the grounds that they cannot satisfy so-called 'reasonable technical requirements'. Just more unfair business practice.

To expand on these issues:

1: No communication protocols (TCP/IP, windows networking, etc etc) should be extended with proprietary extensions unless Microsoft agree to submit a complete description of such protocols for interoperability purposes.

2: Documentation for APIS, communication protocols, etc etc, is NEVER a security risk. Any software company who claims this to be the case is

simply acting to 'preserve their intellectual property' and they are not telling the truth. Any security risk that appears from documentation appears because the software is ALREADY badly designed and weak.

Of course this is often true in the case of Microsoft software - as acknowledged by Gates, quite recently, in the press - but I do not believe that the US DOJ really wishes to allow Microsoft to preserve their 'security through obsecurity' purposes. Leaving out documentation merely impairs Microsoft's competitors from fair business practices. It does not make it any more difficult for a malicious hacker/virus writer/etc, who is perfectly capable of seeking out security holes without any help from documentation.

Do not allow Microsoft to close their APIs or documentation, or communication protocols, for /any reason/. Force them to open them. Let the best software win, not the largest company - or they will stifle the desktop PC industry.

Indeed I feel that software such as Passport, which will eventually be an important element in e-commerce, should be documented, checked and audited before use. To do otherwise is to invite disaster.

Finally: a plea -

So much is possible with software that we have as yet barely begun to scratch the surface; our creativity should know no bounds but imagination. Closing APIs, witholding communications protocols, etc, requires those of us with the ability to realise our dreams of new software to go through years of extra effort - and most of us just don't bother. Forcing the computer user to see the world through Microsoft-coloured eyes is something like censorship - ultimately, the result is the stifling of creativity and freedom, and the eventual stagnation of the industry.

Yours sincerely,

E Tonkin